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# Exhibit 4

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**From:** Susan M. Davies <Sdavies@fbrrlp.com>  
**Sent:** Friday, April 26, 2024 11:01 AM  
**To:** Ingerman, Brett; Aschlanger@osenlaw.Com; Aungar@osenlaw.Com;  
Dgielchinsky@osenlaw.Com; Mradine@osenlaw.Com; Pravenhansen@gmail.Com;  
Zdean@kohnswift.Com; Gosen@osenlaw.Com; Emacallister@perleslaw.Com;  
Jhtipograph@hnklaw.Com; Njnu delman@hnklaw.Com; Rdheideman@hnklaw.Com;  
James P. Bonner  
**Cc:** Setrakian, Berge; Civetta, Margaret; Coles, Anthony P.; Earnest McKee, Lane; Kozlowski,  
Nicole; Collins, Erin  
**Subject:** RE: Miller v. Arab Bank; Pam v. Arab Bank

 EXTERNAL MESSAGE

Dear Brett:

The fact that defense counsel could have conferred with us regarding the data sources for the Plaintiffs' ESI—but failed to do so—does not legitimize your current effort to find fault with Plaintiffs' document productions more than 6 months after their completion. We are available to meet and confer with you on May 7<sup>th</sup> at 10:00 a.m. Would you like me to circulate a Zoom invitation?

With best regards,  
Susan

Susan M. Davies  
FLEISCHMAN BONNER & ROCCO LLP  
917-583-8966  
sdavies@fbrrlp.com

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**From:** Ingerman, Brett <brett.ingerman@us.dlapiper.com>  
**Sent:** Thursday, April 25, 2024 7:45 AM  
**To:** Susan M. Davies <Sdavies@fbrrlp.com>; Aschlanger@osenlaw.Com; Aungar@osenlaw.Com;  
Dgielchinsky@osenlaw.Com; Mradine@osenlaw.Com; Pravenhansen@gmail.Com; Zdean@kohnswift.Com;  
Gosen@osenlaw.Com; Emacallister@perleslaw.Com; Jhtipograph@hnklaw.Com; Njnu delman@hnklaw.Com;  
Rdheideman@hnklaw.Com; James P. Bonner <JBonner@fbrrlp.com>  
**Cc:** Setrakian, Berge <Berge.Setrakian@us.dlapiper.com>; Civetta, Margaret <Margaret.Civetta@us.dlapiper.com>;  
Coles, Anthony P. <anthony.coles@us.dlapiper.com>; Earnest McKee, Lane <lane.mckee@us.dlapiper.com>; Kozlowski,  
Nicole <nico le.kozlowski@us.dlapiper.com>; Collins, Erin <Erin.Collins@us.dlapiper.com>  
**Subject:** RE: Miller v. Arab Bank; Pam v. Arab Bank

Susan:

We disagree that this is “discovery-on-discovery” (and with the other characterizations in your letter) since the Stipulated ESI Order states, “If the producing party elects to use search terms to locate potentially responsive ESI, ***the parties will meet and confer on*** the appropriate search terms and ***the data sources to be searched . . .***” ESI Order,

Section 1.b. (emphasis added). The Plaintiffs used search terms, and therefore, the Bank has the right to know, among other things, the data sources that have been searched.

We understand that your IT consultants in Israel are not available until the end of April and that you will respond to our remaining inquiries when they return to the office. In light of the timing of depositions in May, we propose a meet and confer on May 7<sup>th</sup> between 10 am and noon ET to discuss the issues identified in my April 5, 2024 letter. Please let us know ASAP whether that date and time works for you.

Thank you,

Brett

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**From:** Susan M. Davies <[Sdavies@fbrllp.com](mailto:Sdavies@fbrllp.com)>

**Sent:** Wednesday, April 24, 2024 5:27 PM

**To:** Ingerman, Brett <[brett.ingerman@us.dlapiper.com](mailto:brett.ingerman@us.dlapiper.com)>; [Aschlanger@osenlaw.Com](mailto:Aschlanger@osenlaw.Com); [Aungar@osenlaw.Com](mailto:Aungar@osenlaw.Com); [Dgjelchinsky@osenlaw.Com](mailto:Dgjelchinsky@osenlaw.Com); [Mradine@osenlaw.Com](mailto:Mradine@osenlaw.Com); [Pravenhansen@gmail.Com](mailto:Pravenhansen@gmail.Com); [Zdean@kohnswift.Com](mailto:Zdean@kohnswift.Com); [Gosen@osenlaw.Com](mailto:Gosen@osenlaw.Com); [Emacallister@perleslaw.Com](mailto:Emacallister@perleslaw.Com); [Jhtipograph@hnklaw.Com](mailto:Jhtipograph@hnklaw.Com); [Njnudelman@hnklaw.Com](mailto:Njnudelman@hnklaw.Com); [Rdheideman@hnklaw.Com](mailto:Rdheideman@hnklaw.Com); James P. Bonner <[JBonner@fbrllp.com](mailto:JBonner@fbrllp.com)>  
**Cc:** Setrakian, Berge <[Berge.Setrakian@us.dlapiper.com](mailto:Berge.Setrakian@us.dlapiper.com)>; Civetta, Margaret <[Margaret.Civetta@us.dlapiper.com](mailto:Margaret.Civetta@us.dlapiper.com)>; Coles, Anthony P. <[anthony.coles@us.dlapiper.com](mailto:anthony.coles@us.dlapiper.com)>; Earnest McKee, Lane <[lane.mckee@us.dlapiper.com](mailto:lane.mckee@us.dlapiper.com)>; Kozlowski, Nicole <[nicole.kozlowski@us.dlapiper.com](mailto:nicole.kozlowski@us.dlapiper.com)>; Collins, Erin <[Erin.Collins@us.dlapiper.com](mailto:Erin.Collins@us.dlapiper.com)>  
**Subject:** RE: Miller v. Arab Bank; Pam v. Arab Bank



Dear Counsel:

Please see attached correspondence.

Sincerely,

Susan

Susan M. Davies

FLEISCHMAN BONNER & ROCCO LLP

917-583-8966

[sdavies@fbrllp.com](mailto:Sdavies@fbrllp.com)

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**From:** Ingerman, Brett <[brett.ingerman@us.dlapiper.com](mailto:brett.ingerman@us.dlapiper.com)>

**Sent:** Monday, April 22, 2024 11:08 AM

**To:** [Aschlanger@osenlaw.Com](mailto:Aschlanger@osenlaw.Com); [Aungar@osenlaw.Com](mailto:Aungar@osenlaw.Com); [Dgjelchinsky@osenlaw.Com](mailto:Dgjelchinsky@osenlaw.Com); [Mradine@osenlaw.Com](mailto:Mradine@osenlaw.Com); [Pravenhansen@gmail.Com](mailto:Pravenhansen@gmail.Com); [Zdean@kohnswift.Com](mailto:Zdean@kohnswift.Com); [Gosen@osenlaw.Com](mailto:Gosen@osenlaw.Com); [Emacallister@perleslaw.Com](mailto:Emacallister@perleslaw.Com); [Jhtipograph@hnklaw.Com](mailto:Jhtipograph@hnklaw.Com); [Njnudelman@hnklaw.Com](mailto:Njnudelman@hnklaw.Com); [Rdheideman@hnklaw.Com](mailto:Rdheideman@hnklaw.Com); Susan M. Davies <[Sdavies@fbrllp.com](mailto:Sdavies@fbrllp.com)>; James P. Bonner <[JBonner@fbrllp.com](mailto:JBonner@fbrllp.com)>  
**Cc:** Setrakian, Berge <[Berge.Setrakian@us.dlapiper.com](mailto:Berge.Setrakian@us.dlapiper.com)>; Civetta, Margaret <[Margaret.Civetta@us.dlapiper.com](mailto:Margaret.Civetta@us.dlapiper.com)>; Coles, Anthony P. <[anthony.coles@us.dlapiper.com](mailto:anthony.coles@us.dlapiper.com)>; Earnest McKee, Lane <[lane.mckee@us.dlapiper.com](mailto:lane.mckee@us.dlapiper.com)>; Kozlowski, Nicole <[nicole.kozlowski@us.dlapiper.com](mailto:nicole.kozlowski@us.dlapiper.com)>; Collins, Erin <[Erin.Collins@us.dlapiper.com](mailto:Erin.Collins@us.dlapiper.com)>  
**Subject:** RE: Miller v. Arab Bank; Pam v. Arab Bank

Counsel-

We need a response to this by COB Wednesday given the upcoming depositions or we will be left with no choice but to raise it with Judge Kuo. Thanks.

Brett

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**From:** Ingerman, Brett

**Sent:** Tuesday, April 16, 2024 1:36 PM

**To:** [Aschlanger@osenlaw.Com](mailto:Aschlanger@osenlaw.Com); [Aungar@osenlaw.Com](mailto:Aungar@osenlaw.Com); [Dgielchinsky@osenlaw.Com](mailto:Dgielchinsky@osenlaw.Com); [Mradine@osenlaw.Com](mailto:Mradine@osenlaw.Com); [Pravenhansen@gmail.Com](mailto:Pravenhansen@gmail.Com); [Zdean@kohnswift.Com](mailto>Zdean@kohnswift.Com); [Gosen@osenlaw.Com](mailto:Gosen@osenlaw.Com); [Emacallister@perleslaw.Com](mailto:Emacallister@perleslaw.Com); [Jhtipograph@hnklaw.Com](mailto:Jhtipograph@hnklaw.Com); [Njnudelman@hnklaw.Com](mailto:Njnudelman@hnklaw.Com); [Rdheideman@hnklaw.Com](mailto:Rdheideman@hnklaw.Com); [Sdavies@fbrrlp.Com](mailto:Sdavies@fbrrlp.Com); [Jbonner@fbrrlp.Com](mailto:Jbonner@fbrrlp.Com)

**Cc:** Setrakian, Berge <[Berge.Setrakian@us.dlapiper.com](mailto:Berge.Setrakian@us.dlapiper.com)>; Civetta, Margaret <[Margaret.Civetta@us.dlapiper.com](mailto:Margaret.Civetta@us.dlapiper.com)>; Coles, Anthony P. <[anthony.coles@us.dlapiper.com](mailto:anthony.coles@us.dlapiper.com)>; Earnest McKee, Lane <[lane.mckee@us.dlapiper.com](mailto:lane.mckee@us.dlapiper.com)>; Kozlowski, Nicole <[nicole.kozlowski@us.dlapiper.com](mailto:nicole.kozlowski@us.dlapiper.com)>; Collins, Erin <[Erin.Collins@us.dlapiper.com](mailto:Erin.Collins@us.dlapiper.com)>

**Subject:** RE: Miller v. Arab Bank; Pam v. Arab Bank

Counsel-

We are following up on the attached. Please let us know whether you will provide the requested ESI information and when. If not, please let us know when you are available to meet and confer on this issue.

Thanks

Brett

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**From:** Ingerman, Brett

**Sent:** Friday, April 5, 2024 2:15 PM

**To:** [Aschlanger@osenlaw.Com](mailto:Aschlanger@osenlaw.Com); [Aungar@osenlaw.Com](mailto:Aungar@osenlaw.Com); [Dgielchinsky@osenlaw.Com](mailto:Dgielchinsky@osenlaw.Com); [Mradine@osenlaw.Com](mailto:Mradine@osenlaw.Com); [Pravenhansen@gmail.Com](mailto:Pravenhansen@gmail.Com); [Zdean@kohnswift.Com](mailto>Zdean@kohnswift.Com); [Gosen@osenlaw.Com](mailto:Gosen@osenlaw.Com); [Emacallister@perleslaw.Com](mailto:Emacallister@perleslaw.Com); [Jhtipograph@hnklaw.Com](mailto:Jhtipograph@hnklaw.Com); [Njnudelman@hnklaw.Com](mailto:Njnudelman@hnklaw.Com); [Rdheideman@hnklaw.Com](mailto:Rdheideman@hnklaw.Com); [Sdavies@fbrrlp.Com](mailto:Sdavies@fbrrlp.Com); [Jbonner@fbrrlp.Com](mailto:Jbonner@fbrrlp.Com)

**Cc:** Setrakian, Berge <[Berge.Setrakian@us.dlapiper.com](mailto:Berge.Setrakian@us.dlapiper.com)>; Civetta, Margaret <[Margaret.Civetta@us.dlapiper.com](mailto:Margaret.Civetta@us.dlapiper.com)>; Coles, Anthony P. <[anthony.coles@us.dlapiper.com](mailto:anthony.coles@us.dlapiper.com)>; Earnest McKee, Lane <[lane.mckee@us.dlapiper.com](mailto:lane.mckee@us.dlapiper.com)>; Kozlowski, Nicole <[nicole.kozlowski@us.dlapiper.com](mailto:nicole.kozlowski@us.dlapiper.com)>; Collins, Erin <[Erin.Collins@us.dlapiper.com](mailto:Erin.Collins@us.dlapiper.com)>

**Subject:** Miller v. Arab Bank; Pam v. Arab Bank

Please see the attached correspondence.

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